

REMARKS

Claims 59-65 are now pending in the application. The amendments to the claims contained herein are of equivalent scope as originally filed and, thus, are not a narrowing amendment. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

DOUBLE PATENTING

Claims 59 and 61-63 stand rejected under 35 U.S.C. § 101 as claiming the same invention as that of claims 40, 42, 43, and 54 of copending Application No. 10/122,156. This rejection is respectfully traversed.

Claims 59-65 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 40, 42, 43, and 54 of copending Application No. 10/122,156. This rejection is respectfully traversed.

Applicant submits a Terminal Disclaimer herewith to overcome the above double patenting rejections. Therefore, reconsideration and withdrawal of these rejections are respectfully requested.

REJECTION UNDER 35 U.S.C. § 103

Claims 59-65 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hill (U.S. Pat. No. 2,010,082) in view of Curry (U.S. Pat. No. 2,878,628). This rejection is respectfully traversed.

Applicant respectfully submits that the combination of Hill '082 in view of Curry '628 is improper. In particular, the disclosure of Hill discloses a packaging system for a

saw blade in which two disks D and D' are placed on opposite sides of the saw blade S and the outer perimeter of the disks D, D' are wrapped around the peripheral surface of the saw teeth and including a paper ribbon C, C' extending around the periphery of the disks D and D' which sandwich the saw blade. The ribbon C, C' wrapped around the periphery of the package is disclosed as being cemented (glued) to the disks. See col. 1, line 11 – 23 and col. 2, lines 2-9 and 14-18. The disks are also disclosed as “having sufficient softness to be indented by the saw teeth without dulling the teeth and being thick enough not to be punctured by the teeth during rough handling.” See col. 1, lines 14-18. Thus, the disks D and D' provided on opposite sides of the saw blade prevent the paper ribbon from contacting the blade tip.

The disclosure of Curry '628 is directed to a method of wrapping articles such as a ball of thread. The method of Curry '628 involves wrapping a flat sheet of pliofilm, or similar material, around the ball of thread and heat sealing the ends of the film together to form a cylinder around the ball of thread and then heat shrinking the pliofilm tightly around the ball of thread. What is clearly not an issue in the disclosure of Curry '628 is the concern for puncturing the pliofilm during the shrinking process since the ball of thread has a soft texture without sharp edges.

However, Applicant submits that there is nothing in the disclosure of Curry '628 of Hill '082 to provide proper motivation to combine the teachings of Curry '628 for wrapping a saw blade as disclosed in Hill '082. Along these lines, it is noted that Applicant has amended claim 59 to include the limitation of “said heat shrinking material directly contacting tips of said teeth of said saw blade.” Applicant submits that the disclosure of Hill '082 includes disks D and D' for isolating the saw blade tips from the

ribbons C, C' that extend around the periphery of the package. Thus, the ribbons C, C' of Hill '082 do not directly contact the tips of the saw blade as required by amended claim 59. Furthermore, there is no suggestion in Curry '628 to eliminate the disks D and D' of Hill for wrapping a saw blade with pliofilm to arrive at the present invention as claimed. Therefore, reconsideration and withdrawal of this rejection are respectfully requested.

Applicant further submits that if a proposed modification would render the prior art invention being modified unsatisfactory for its intended purposes, then there is no suggestion or motivation to make the proposed modification. In re Gordon, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984). Accordingly, Applicant submits that it would be improper to modify the system of Hill '082 to either eliminate the disks D, D' or make the diameter of the disks D, D' smaller so as to expose the saw blade teeth to the pliofilm wrap of Curry '628 since it is the intended purpose of Hill '082 to protect the saw blade tips completely using the disks D and D' having sufficient softness to be indented by the saw teeth without dulling the teeth and being thick enough not to be punctured by the teeth during handling. Therefore, Applicant submits, for these additional reasons, the combination of Hill and Curry is improper.

CONCLUSION

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office



action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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